

ASSIGNED
42478

Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

SEP 19 1980

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed

Map filed SEP 23 1980

The applicant The Anaconda Company

555 Seventeenth Street

of Denver

Street and No. or P.O. Box No.

City or Town

Colorado 80217

State and Zip Code No.

hereby make S application for permission to change the

point of diversion

Permit 40523

of water heretofore appropriated under

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground
Name of stream, lake, underground, spring or other source.
2. The amount of water to be changed six (6) second feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for mining, milling, and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore used for same
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, T.5N., R.41E.
M.D.B.&M., or at a point from which the NE corner of Sec. 1, T.5N., R.41E.,
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
M.D.B.&M. bears N77°49' 01" E., 6160.68 feet.
stated.
6. The existing point of diversion is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T.6N., R.41E., M.D.B.&M.
or at a point from which the NE corner of Sec. 1, T.5N., R.41E., M.D.B.&M. bears
If point of diversion is not changed, do not answer.
S. 56° 50' 17" E., 8048.33 feet.
7. Proposed place of use Sections 5, 6, and 7, T.5N., R.42E., M.D.B.&M.; Sections 31
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
and 32, T.6N., R.42E., M.D.B.&M.; Section 36, T.6N., R.41E., M.D.B.&M.; and
Sections 1 and 12, T.5N., R.41E., M.D.B.&M.
8. Existing place of use Same
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use has been from Same to Same of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, casing, pump, storage tank, and
State manner in which water is to be diverted, whether by dam or other works,
pipeline to mine site and plant site.
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$300,000.
13. Estimated time required to construct works.....3 to 5 years
14. Estimated time required to complete the application of water to beneficial use.....3 to 5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Annual consumptive use of Wells 40520 through 40524 will be a combined total of 4,309,920,000 gallons per year. Water from Wells 40520 through 40524 and Well 35776 (current permit number) will be used for a mining-milling complex.

Compared.....bc/ b1.....gk/bc.....Applicant.....The Anaconda Company

By.....s/John V.A. Sharp

John V.A. Sharp, Agent

HYDRO-SEARCH, INC. 333 Flint Street

Reno, Nevada 89501

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 40523 is issued subject to the terms and conditions imposed in said Permit 40523 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permits 40520, 40521, 40524, 42479, and 42480 shall not exceed 4,310.0 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....6.0.....cubic feet per second, but not to exceed 1,415.4 million gallons annually.

Actual construction work shall begin on or before.....June 16, 1981

Proof of commencement of work shall be filed before.....July 16, 1981

Work must be prosecuted with reasonable diligence and be completed on or before.....June 16, 1982

Proof of completion of work shall be filed before.....July 16, 1982

Application of water to beneficial use shall be made on or before.....June 16, 1985

Proof of the application of water to beneficial use shall be filed on or before.....July 16, 1985

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN

Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16th day of DECEMBER

Proof of beneficial use filed.....A.D. 1980

Cultural map filed.....

Certificate No.....Issued.....

WILLIAM J. NEWMAN

State Engineer

JUL 29 1993